

Before the  
Administrative Hearing Commission  
State of Missouri



KULSOOM F. JUNAID, M.D.,	)	
	)	
Petitioner,	)	
	)	
vs.	)	No. 13-1109 SP
	)	
DEPARTMENT OF SOCIAL SERVICES,	)	
MISSOURI MEDICAID AUDIT	)	
AND COMPLIANCE UNIT	)	
	)	
Respondent.	)	

**DECISION**

We dismiss the complaint filed by Kulsoom F. Junaid, M.D. (“Junaid”) because the amount of reimbursement requested is less than \$500.00. We lack jurisdiction to hear it.

**Procedure**

On June 14, 2013, Junaid filed a complaint appealing the denial of his claim by the Department of Social Services, Missouri Medicaid Audit and Compliance Unit (“the Department”) for reimbursement of Medicaid funds in the amount of \$356.60. On July 15, 2013, the Department filed a motion to dismiss based on the information in the complaint. We gave Junaid until July 30, 2013, to respond to the motion, but he did not respond. We find the following facts undisputed.

### **Findings of Fact**

1. Junaid billed Medicaid for his professional services in the amount of \$356.60 based on his treatment of patient T.F. The Department paid Junaid's claim for reimbursement.
2. The Department requested a refund of this money, and Junaid appealed this decision.

### **Conclusions of Law**

The Department argues that we do not have jurisdiction over this case because the amount in controversy is less than \$500.00. If we have no jurisdiction to hear the petition, we cannot reach the merits of the case and can only exercise our inherent power to dismiss.<sup>1</sup>

Our jurisdiction in Medicaid cases is set forth in § 208.156.2,<sup>2</sup> which states:

Any person authorized under section 208.153 to provide services for which benefit payments are authorized under section 208.152 whose claim for reimbursement for such services is denied or is not acted upon with reasonable promptness shall be entitled to a hearing before the administrative hearing commission pursuant to the provisions of chapter 621, RSMo.

However, our jurisdiction is limited by § 208.156.6, which states:

No provider of service may file a petition for a hearing before the administrative hearing commission unless the amount for which he seeks reimbursement exceeds five hundred dollars.

Junaid's appeal involves \$356.60, an amount under \$500.00. This does not mean Junaid has completely lost his right to appeal this claim; he simply cannot pursue it at this time. Section 208.156.8 states that "claims of less than five hundred dollars may be accumulated until they total that sum and at which time the provider shall have ninety days to file his petition."

Because the amount in controversy is less than \$500.00, we have no jurisdiction to hear this appeal. We grant the motion to dismiss.

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<sup>1</sup>*Oberreiter v. Fullbright Trucking*, 24 S.W.3d 727, 729 (Mo. App., E.D. 2000).

<sup>2</sup>Statutory references are to RSMo 2000.

### **Summary**

We dismiss this case because we lack jurisdiction to hear it.

SO ORDERED on August 2, 2013.

\s\ Mary E. Nelson  
MARY E. NELSON  
Commissioner